THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23581 of 2007

Between:

Gadiparti Venkatappaiah.

.. PETITIONER

and

The Revenue Divisional officer and others.

.. RESPONDENTS

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.23581 of 2007

ORDER:

It is the case of the petitioner that against the order passed by the 2nd respondent in proceedings in RCD No.52/2005, dated 04-06-2007, in exercise of the powers conferred under Section 4(1) of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short "the Act"), in resuming the lands admeasuring Ac.0-37 cents in Sy.No.113/21 and Ac.0-74 cents in Sy.No.113/2M respectively situated at Kanepalli Village, Santhamagulur Mandal, Prakasham District, on the ground that the said lands were originally assigned in favour of one Sri Gurisetti Subbaiah and the said assignee transferred the said lands in favour of the petitioner in contravention of sub-section (2) of Section 3 of the Act, the petitioner filed an appeal before the 1st respondent on 09-08-2007 and the same is numbered as RCD.No.1355/2007.

It is further stated that after filing such appeal, the 1st respondent called for the records from the 2nd respondent through proceedings in Rc.D/1355/07, dated 10-08-2007. It is stated that so far the appeal has not been considered and disposed of.

As the appeal is pending before the 1st respondent, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 1st respondent to consider and dispose of the appeal in accordance with law.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the appeal filed against the order of the 2nd respondent, dated 04-06-2007, in proceedings No. RCD 52/2005, in accordance with law, as expeditiously as possible. Pending disposal of the appeal, the 2nd respondent is directed not to dispossess the petitioner from the lands admeasuring Ac.0-37 cents in Sy.No.113/21 and Ac.0-74 cents in Sy.No.113/2M respectively. There shall be no order as to costs.

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06-11-2007

Prv